

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TIMOTHY ROSS MILLER,

Plaintiff,

v.

THURSTON COUNTY; NICOLAS

ANDERSEN; JOEL NAULT,

Defendant.

Case No. 3:23-cv-05745-TMC

ORDER DENYING PLAINTIFF'S
MOTION FOR DEPOSITIONS

I. ORDER

Before the Court is pro se Plaintiff Timothy Ross Miller's "Motion for Depositions." Dkt. 34. Mr. Miller asks the Court to order Defendants Nicolas Andersen and Joel Nault to sit for depositions under Federal Rule of Civil Procedure 30. *See id.* Defendants respond that the motion is unnecessary because Mr. Miller has not identified a circumstance where leave of court is required to take a deposition under Federal Rule of Civil Procedure 30(a)(2). Dkt. 44.


Defendants are correct that Mr. Miller does not need the Court's leave to depose Defendants Andersen and Nault. For that reason, the Court DENIES Mr. Miller's motion, but ORDERS the parties to meet and confer in good faith, by telephone or videoconference, to arrange a time for the depositions to take place if Mr. Miller still wants to take them. Defense

1 counsel shall file a status report within 7 days of this Order's entry informing the Court on the
2 status of the party's efforts to meet and confer and arrange the depositions.

3 To move forward on his own with arranging the depositions, Mr. Miller must give
4 reasonable notice of the time and place of the deposition as required by Federal Rule of Civil
5 Procedure 30(b). He must arrange for the deposition to be taken before an officer authorized to
6 administer oaths as required by Rule 28 (such as a court reporter) and to be recorded "by audio,
7 audiovisual, or stenographic means" under Rule 30(b)(3). Mr. Miller must also pay for the
8 recording costs. If he is not able to reach agreement with defense counsel on the time and place
9 for the depositions, Mr. Miller may compel the deponent's appearance using a subpoena that
10 complies with Rule 45.

11 The Clerk is directed to send uncertified copies of this Order to all counsel of record and
12 to any party appearing pro se at said party's last known address.

13 Dated this 6th day of September, 2024.

14 
15 _____
16 Tiffany M. Cartwright
17 United States District Judge
18
19
20
21
22
23
24